

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: OCTOBER 17, 2007

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:
VARIANCE

VAR-24021 - PUBLIC HEARING - APPLICANT/OWNER: PARKWAY CENTER, LLC - Request for a Variance TO ALLOW AN OFF-PREMISE (BILLBOARD) SIGN WITH DIGITAL DISPLAY TO BE ERECTED 45 FEET ABOVE THE ELEVATION OF THE ORAN K. GRAGSON FREEWAY WHERE 30 FEET ABOVE THE ELEVATION OF THE FREEWAY IS THE MAXIMUM HEIGHT ALLOWED on 2.55 acres at the northeast corner of City Parkway and Grand Central Parkway (APN 139-27-410-008), PD (Planned Development) Zone, Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

2

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Submitted after final agenda – Support postcards for Items 104 and 105
7. Backup referenced from the 09-13-07 Planning Commission Meeting Item 37

Motion made by RICKI Y. BARLOW to Approve subject to conditions and adding the following condition as read for the record:

A. The reader board shall display a minimum of seven seconds per advertisement.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

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RICKI Y. BARLOW, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

NOTE: COUNCILWOMAN TARKANIAN clarified that her vote on this item should reflect affirmative and not an abstention.

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 104 and 105.

ATTORNEY CHRIS KAEMPFER, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He indicated a two-sided billboard has been at this location for two years. The sign was taken down during the Molasky Corporate Center development, but the intent was to erect the sign upon completion of the development. The Nevada Department of Transportation (NDOT) believes the subject sign will be too close to another sign located on the freeway and refused to allow the sign. The applicant is now requesting a single sided LED sign at the previously approved height at the same location.

COUNCILMAN REESE verified with ATTORNEY KAEMPFER the previous sign was not LED. He expressed concern about the LED reader board and having a message transmitted every seven seconds, as it could distract drivers and cause accidents. He was also concerned that a precedent could be set. ATTORNEY KAEMPFER replied that the applicant would be willing to work with staff on the frequency of messages, as public safety is the applicant's concern as well.

COUNCILMAN BARLOW was disappointed that NDOT did not allow the applicant to move forward with the sign and have it placed up against the building. He felt it complimented the Molasky building much better than what is currently being proposed. He echoed COUNCILMAN REESE'S concern and asked staff if a condition could be placed to mitigate that issue. MARGO WHEELER, Director of Planning and Development, replied that staff is still looking at standards of other jurisdictions, and she believed that NDOT has their own limitations as well.

COUNCILMAN REESE preferred the frequency limited to every 30 seconds. He reiterated his concern that approving this application with the frequency at every seven seconds for advertisements would set a precedent for other applicants to appear before Council desiring the exact approval.

ASSISTANT CITY ATTORNEY BRYAN SCOTT noted that seven seconds is the frequency standard that NDOT allows for reader boards. COUNCILMAN BROWN added that NDOT has set their standard based on their safety criteria. COUNCILMAN BARLOW preferred a condition be placed limiting the frequency to seven seconds per advertisement.

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Although she would support COUNCILMAN BARLOW'S motion, COUNCILWOMAN TARKANIAN agreed with COUNCILMAN REESE that a precedent could be set.

MARGO WHEELER clarified the application for SUP-23330 is an amendment to the previous application, SUP-5877 and therefore, takes the place of the previous approval referred to by ATTORNEY KAEMPFER. ASSISTANT CITY ATTORNEY SCOTT recommended adding this information as a condition and ATTORNEY KAEMPFER concurred.

MAYOR GOODMAN declared the Public Hearing closed for Items 104 and 105.

